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SPEECH OF  
MR. E. E. HARNEY,  
OF GILES,

ON THE BELL RESOLUTIONS.

DELIVERED IN THE HOUSE OF REPRESENTATIVES, FEB. 7, 1858.

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WHEREAS, The act of 1820, commonly called the Missouri Compromise act, was inconsistent with the principles declared and laid down in the acts of 1850, better known as the Compromise Acts of that year; and WHEREAS, The Missouri Compromise Act was a palpable wrong done to the people of the slaveholding States, and should have been repealed; and WHEREAS, The principles of the Kansas-Nebraska Bill meet our unqualified approbation, and should have received the cordial support of our Senators and Representatives in Congress.

WHEREAS, One of those Senators, the Hon. John Bell, in a speech delivered against the Kansas-Nebraska Bill. May 25, 1854, said: "A noble, generous, and high-minded Senator from the South, within the last few days, before the final vote was taken on the bill, appealed to me in a manner which I cannot narrate, and which affected me most deeply. The recollection of it affects me and influences my feelings now, and ever will. I told that honorable Senator that there was one feature in the bill which made it impossible that I should vote for it, if I waived all other objections. I said to others who had made appeals to me on the subject, that while it would afford me great pleasure to be sustained by my constituents, yet, if I was not, I would resign my seat here the moment I found my course upon the subject was not acceptable to them. As for my standing as a public man, and whatever prospects a public man of long service in the councils of the country might be supposed to have, I would resign them all with pleasure. I told that gentleman, that, if upon this or any other great question affecting the interest of the South, I should find my views conflicting materially with what should appear to be the settled sentiment of that section, I should feel it my imperative duty to retire. I declare here to-day that if my countrymen of Tennessee shall declare against my course on this subject, and that shall be ascertained to a reasonable certainty, I will not be seen in the Senate a day afterwards."

Therefore, *Be it resolved by the General Assembly of the State of Tennessee, That we fully concur with the Hon. John Bell, as to the duty of a Senator, when the voice of his constituency has declared against him on a question materially affecting their interest.*

*Be it further resolved, That in our opinion the voice of Mr. Bell's countrymen of Tennessee, in the recent election, declared against his course on the Kansas-Nebraska Bill, a question of vital importance to the South.*

MR. SPEAKER :—I have no disposition to detain the House with unnecessary discussion, but the subject under deliberation is one in which I feel more than ordinary interest, and I am convinced that I would be wanting in my duty as a Representative, if I failed upon this occasion to give expression to my own opinions, and the views which I am satisfied are entertained by a large majority of those whom I have the honor to represent in this body, with reference to the subject now before us.

These resolutions, Mr. Speaker, shall receive my most cordial and zealous support, although I should prefer them in a somewhat different shape. I should prefer, that instead of leaving Mr. Bell free to take whatever action he may see fit, that they should carry to that Senator positive instructions, to resign that position in which he no longer reflects the will of his people. As a mere question of power, I have no sort of doubt as to the propriety of such instructions, for I look upon our Senators in Congress as the agents of this body, created and appointed, for the express purpose of maintaining in the federal councils of the nation the policy of the people of Tennessee as reflected through the two Houses of the General Assembly. I hold that the legal and constitutional relations which obtain between the people of the State and the representative, are equally applicable as between the Legislature and the Senator, and that the right to instruct and the duty to obey, is the same in both instances. Believing, therefore, that we have the right to instruct, I maintain that, in the present instance, we ought to adopt that course which will compel Mr. Bell either to vacate his seat or to depart from that line of policy which he persists in pursuing with reference to the questions suggested in the preamble to these resolutions.

Again : the proposition now before us is not a favorite one with me, because in my judgment it is calculated to do us, as a party, both injury and injustice, inasmuch as its seemingly cautious and moderate phraseology may serve to credit the impression that the majority party here was itself unsatisfied as to whether the people of Tennessee did really differ with Mr. Bell as to his Kansas policy, and that therefore it shrunk from assailing him by direct instructions. Sir, I protest now against any such construction, for I feel satisfied that every democrat on this floor is fully assured that Mr. Bell is no longer acceptable to the people of this State, and that they are ready to make that issue with him at any moment. But I shall offer no factious opposition to the resolutions on this ground, and since they seem to meet the approbation of my party friends I shall cheerfully support them with whatever ability I may possess, sincerely hoping that Mr. Bell may not utterly disregard their delicate appeal to that *honor* which he has so solemnly pledged.

The direct issues formed by these resolutions seem to my mind so palpable as to admit of but little discussion. What are the circumstances which have induced us to offer this proposition? It will be remembered that in 1854 Congress gave to the Territories

of Kansas and Nebraska, territorial governments, setting aside the restriction of 1820, and establishing the principle of non-intervention and popular sovereignty. The records of the country show that the Hon. John Bell, standing almost alone among the Senators and Representatives of the South, voted against the passage of the Bill. But notwithstanding the opposition of Mr. Bell and his abolition allies, it received the sanction of the Federal Government, and the principles of the Constitution were again triumphant. Everywhere throughout the South the announcement of its passage was hailed with joy and satisfaction, and so triumphantly did the Southern people sustain it, so bitterly did they denounce Mr. Bell's desertion, that he found it necessary to do something to palliate his error, and accordingly on the 25th of May, 1854, he rose in his place in the United States Senate and declared that he considered it the duty of a Senator to resign his office "whenever he found his views conflicting materially with the settled sentiment of his people." In the same speech, he further more said :

"I declare here to-day, that if my countrymen of Tennessee shall declare against my course on this subject, and that shall be ascertained to a reasonable certainty, I will not be seen in the Senate a day afterwards."

The proposition now before us declares that this General Assembly agrees with Mr. Bell as to the duty of a Senator, that the voice of Tennessee has pronounced against him, and that the time has come for the redemption of his pledge. I propose now to sustain the point asserted in this proposition. Have the people of Tennessee declared against Mr. Bell's course on the Kansas Bill—with "reasonable certainty?"

I know not, Mr. Speaker, what it takes to constitute a "*reasonable certainty*," in the mind of this distinguished gentleman, or his friends upon this floor, but I well know that in the last three political contests which have transpired in this State, the popular will has three times, and each time by increased majorities, pronounced against that party which, with Mr. Bell at its head, warred against the Kansas Bill, and has triumphantly sustained that one which advocated the measure before the people and upon which rested the responsibility of its passage.

Mr. STANTON. I wish to ask the gentleman, Mr. Speaker, one question. If the Democratic party here think that Mr. Bell's course upon the Kansas Bill does not meet the approbation of the people of this State, if they do not fear the result of a contest with him upon this question alone, why not do him the justice to postpone this action and give him an opportunity to go before the people and make the direct issue? Why not allow him to explain himself? Why condemn him thus, unheard, while engaged in the discharge of his public duty, in a distant part of the country?

Mr. HARNEY. I will say to the member from Jackson, that my party seeks no undue advantage of Mr. Bell. If he has not, ere this, gone before the country and met the arguments with which he has been constantly assailed ever since he voted against



this Kansas act, it is certainly not the fault of myself or my party; for if the gentleman will turn to the files of the Union and American of last summer he will see, on the contrary, that we challenged Mr. Bell to take the field and do the very thing which he now says we deny him. We politely, but urgently, invited him to enter the lists and make the direct issue, and when he failed to respond to our polite invitation, we endeavored by taunt and sarcasm to *drive* him to his *own* defense. Sir, Mr. Bell refused to meet our Democratic leaders in discussion upon this very issue; he retired to the quiet of his parlor and sent out his emissaries to take away public attention from his course upon this subject by introducing into the canvass his exploded humbug "*Distribution*;" willfully and knowingly he has failed to plead to the bill of indictment, and we now claim judgment by default.

But, sir, I was arguing that in the last three contests in this State, the public voice had condemned Mr. Bell's course upon this Kansas act. The gentleman from Jackson argues that there is no evidence to show that these contests turned upon the merits or demerits of this question—that no direct issue has ever been made upon it, and that it was Tax Assessor Law, County Judge Law, and cries of "no chance!" "no chance!" that defeated Mr. Bell and his party. I have already shown that if a direct issue has not been made, it was certainly attributable to Mr. Bell's refusal to enter the canvass, and to that alone. But I maintain that Mr. Bell does not require any such positive testimony. He does not in his speech in the Senate call for a decision upon this solitary issue. From his knowledge of party struggles in this State, aye, from the nature of the case he knew that such a thing was almost impossible. He well knew when he made that declaration that in every contest in Tennessee there were various questions of a local character, of State and Federal policy involved—but he knew at the same time that this Kansas Bill, with its great features of equality and popular sovereignty, would constitute for years to come the controlling element of party politics in Tennessee and elsewhere, and that men seeing this, would take their positions upon it one way or the other, regardless of any minor issues which might be involved; and it was from the results of these contests as thus determined at the ballot box, that he expected to derive that "*reasonable* certainty" of success or defeat to which he alluded in his speech in the Senate. He never for one moment dreamed that a great special election was to be set apart and held throughout the broad State of Tennessee on this single question, merely for the purpose of determining how he stood with the masses of his constituents. Away then, sir, with the charge that it was questions of State politics or cries of no chance, that defeated Mr. Bell and his party. Sir, party bias, party malevolence, and blind man-worship may be led away with this idle by-play, but the honest, unbiased judgment of the country will recognize it at once as the desperate effort of defeated and embittered partisans to bolster up the fortunes of a falling favorite, and to screen

from the legitimate consequences of his political sins a statesman who by deserting the trust reposed in him, has forfeited the confidence of his people.

I maintain, Mr. Speaker, that ever since its passage, this Kansas Bill has been the leading question of Federal politics in Tennessee. In the Gubernatorial canvass between Johnson and Gentry, the two candidates took antagonistic positions upon it, and the public voice decided in favor of him who defended and sustained it. How was it in the Presidential struggle of '56? Sir, it was emphatically the question upon which the battle was fought, not only in Tennessee, but throughout the whole Union—Democracy standing out alone in its defence, while Black Republicanism and Know Nothingism stood hand in hand against it. Will gentlemen deny that this issue was distinctly made up between the two parties in the South. Let me invite the attention of the House for a moment to the ground, which they assumed in their national platforms, and through the speeches and letters of their candidates. The Democratic National Platform, adopted at Cincinnati in 1856, in section 1st, distinctly asserted that the Democratic party “recognize and adopt the principles contained in the Kansas Nebraska act, as embodying the only sound and safe solution of the slavery question, upon which the great national idea of the people of this whole country can repose in its determined conservatism of the Union—non-interference by Congress with slavery in State or Territory, or in the District of Columbia.” The Know nothing platform adopted at Philadelphia, Feb. 18, 1856, in its, 13th section, denounced the Kansas Bill as “a part of the *unwise* and *reckless* policy of the present (Mr. Pierce’s) Administration.

Mr. Buchanan, in his letter of acceptance, maintained the policy of the bill and declared his readiness to abide the decision of the people upon it, while Mr. Fillmore as directly repudiated it in his Albany and Rochester speeches, stigmatizing it as “an act to secure personal advancement rather than public good,” as a “Pandora’s Box,” ruinous to the peace and security of the nation.

Here, then, we have these two parties assuming, in the face of the country and upon the verge of an exciting contest, positions in direct antagonism upon this question. The people of Tennessee were fully notified of these facts—and as the country well remembers, as the newspaper files and the reported speeches of the electors abundantly testify, the merits and alleged demerits of the bill, were made as familiar in every hamlet of the land as household words.

Mr. STANTON. I desire to ask the gentleman, if, in the canvass to which he alludes, that portion of the Kansas act upon which the President and Mr. Douglas are now at variance, was talked about, and what is the democratic doctrine on this point?

Mr. HARNEY. I say to the gentleman, Mr. Speaker, that wherever I heard this subject debated, the points discussed were non-

intervention, the equality of the people of the two sections of the Union, alien suffrage and squatter sovereignty. If it be the object of the gentleman, however, to make a point against the Kansas act for the reason that it is silent upon the question as to whether the Constitution of the Territory should be submitted to a direct vote of the people or not, I reply that according to my recollection the same objection may be made to every territorial act ever framed by Congress since the organization of the government. As to what is the real democratic doctrine on this question, I reply that it is to leave the people of Kansas and their territorial Convention to settle the matter just as they may see fit.

But to return to the point. What was the result of this Presidential contest in which the Kansas act was so justly made the prominent issue? Why, sir, Tennessee, which for a long series of years had gone against the democracy in the Presidential elections, suddenly changed front and sustained the democratic candidate standing upon that act by a majority of nearly 8,000. How was it again in the canvass of last summer? The State platform of the Democracy again made the Kansas act the leading issue, the democratic candidate maintained its policy in every discussion throughout the State, and our papers pressed the point that this bill was the real question in controversy. What was the result? By a majority of nearly 12,000 votes the people of Tennessee rebuked Mr. Bell for his desertion, and well-nigh annihilated his party. My friend from Jackson [Mr. Stanton] cannot gainsay the fact that the Democracy did make this issue in the last canvass through their candidate and their journals, and if gentlemen will but trouble themselves to turn to the files of the Nashville Banner, issued during the struggle, they will find there vehement expostulations against the efforts of the democratic party to bring into the canvass, as a *living issue*, a question which they pronounced had been *submitted and conclusively settled in the campaign of the preceding year*. Surely, Mr. Speaker, these evidences of popular condemnation so signally manifested, ought to afford to Mr. Bell at least a "*reasonable certainty*" of the fact that the people of Tennessee are fully determined to question the wisdom of his course with reference to this Kansas act.

But the testimony does not stop here. At the time when Mr. Bell consummated this memorable act of treachery, one Southern Senator, forgetful of former associations and cherished principles, struck hands with Tennessee's recreant son and went over to the embraces of the wooed and wooing wanton of the North. In the House of Representatives, seven Southern men followed their example—four of whom I regret, to say, were Tennesseans. What has been their fate? The laurels of Jacinto have withered into sickly willows, and the founder and President of the Texan Republic was but yesterday defeated for Governor of the State by a mere alien adventurer. What of those Representatives from other Southern States who followed Mr. Bell's example? I think, sir, I may safely say not one of them but has received the brand



of condemnation. These facts serve to show that public sentiment throughout the whole South is against the honorable Senator. But, we are acting more directly with reference to Tennessee, and pray, sir, what has been the fortune of the "immortal four" who stood by Mr. Bell in his opposition to this measure? Two years ago Mr. Taylor's constituents signally rebuked his course upon this question, and in August last he was again defeated upon this direct issue. Then let me point you to Etheridge. Though living in a district, at the time of his vote on this measure, overwhelmingly in his favor, though able, eloquent, fearless, and endowed with every quality necessary to win the popular heart, yet an indignant constituency have cast him off like spurious coin and elected a man of the opposition, and a friend of the Kansas Bill in his stead. Go to my own county and we find another instance of this kind. I refer to the Hon. R. M. Bugg, for whom personally I entertain a high respect. Before the commission of this suicidal act he was almost invincible before the people, had been sent to Congress from a strongly Democratic district, and time and again had defeated for a place on this floor, our ablest and best men. He, too, heeded the seductive counsels of John Bell, voted against this Kansas act, and but a few years ago, with all his personal popularity, we find him defeated for a mere county office by more than 300 votes.

Last, though not least, let me point you to Cullom. More fortunate than his associates—more fortunate even than his illustrious chief—he has received his reward from a quarter to which that chief has cast many a "longing, lingering look." From his constituents he received the condemnation which he so richly merited, and he now feeds upon the crumbs which Black Republican gratitude let fall from its board. Such has been the doom of the anti-Nebraska *Bellites* in Tennessee. Surely, gentlemen will not contend that it was questions of State policy, cries of no chance, or even Know Nothingism alone, that defeated these men; for on the other hand we find Ready and Zollicoffer, who alone of the opposition in this State stood by this great measure, passing triumphantly through the fiery ordeal of public trial, though forced to bear the weight of their party's sins, State and National, and to drag behind them the dead carcass of mis-called "Americanism." Sir, with all candor and sincerity, I submit that when we look to the fact that the people of Tennessee have three times rebuked Mr. Bell at the ballot-box, that they have condemned every one who acted with him, and that these Representatives and Senators fresh from the people also differ with him, it does seem as if from this mass of testimony the very dullest apprehension ought to be enabled to decide with "*reasonable certainty*," that his course upon this Kansas matter does not meet the approbation of a majority of the voters of this State.

But I do not stop here in my opposition to the Hon. Senator; and planting myself upon his own premises, "that it is the *duty* of a Senator to resign when he fails to reflect the will of his peo-

ple," I do not hesitate to say that leaving this Kansas affair wholly out of consideration, I stand prepared to-day to sustain resolutions instructing him to resign, for the reason that I feel satisfied, that upon no living principle of Federal policy now at issue between the parties, does he reflect the sentiments of a majority of his people. I am unwilling that he should continue to exercise the prerogatives of his high station, not only to vote down the policy desired by his constituents but to embarrass by his plots and machinations, that Administration upon the success of which depends the good of the country, and around which the freemen of Tenne see have rallied so warmly.

There is another view of this subject to which I desire the attention of the House. I allude to the institution of slavery, its immense value and importance as the great element of our success as a nation—to the dangerous extent of agitation upon that subject, and to the policy which has heretofore been pursued by Mr. Bell, and by the government in this relation.

It is not only for the immense value of our slaves to their owners that this institution commends itself to the protection and encouragement of the government. The fifteen hundred millions of dollars thus invested sinks into utter insignificance when compared with some other advantages which it affords us. It is this institution which furnishes those four staple articles now most demanded by modern civilization—sugar, cotton tobacco, and rice—the demand and consumption of which is continually on the increase. It is this institution which produces two-thirds of the total annual exports and buys 75 per cent of the total annual imports of the Union. From its products Northern shipping engaged in the coasting trade derives its \$40,000,000 annually—her laborers earn subsistence and her manufacturers their almost fabulous profits. Strike down this institution and you block up or stagnate the great artery of Northern trade and prosperity.

The same state of facts applies to England and every commercial and manufacturing nation on the earth. Disguise it as as you may, it cannot be concealed that the so-called "blighting curse of slavery" in our southern States feeds and clothes, and rules the world. It gives us the real elements of national independence; it gives us the commercial ascendancy of the globe and the power by commercial restrictions alone to enforce obedience to our rights and respect to our flag in every portion of the civilized world. Consider for a moment what would be the effect upon the most powerful and civilized nations of Europe, if this institution were abolished or destroyed. What would be its effect upon England? with all her pomp and arrogance she is to-day absolutely dependent for her prosperity and peace upon the productions of African labor in the South. Hers is a purely commercial and manufacturing people, and to it cotton is the great essential to success. It is from this that her manufacturers and merchantmen derive their wealth, and it is to this that her half-naked seamen and starving operatives, look for employment and



taebread of life. Strike down this institution, cripple its energies, and you hurl back her commercial *status* three quarters of a century; for the experiment of British emancipation in the West Indies has clearly demonstrated that white labor, physically inadequate to the task, can never succeed in operating cotton in the almost tropical climate peculiarly adapted to its growth. As an inevitable consequence, therefore, the abolition of slavery here, would greatly diminish, or altogether stop the production of this indispensable article of her traffic, and manufacture; her merchant ships would rot in their docks, the rush of busy looms and spindles would cease, and her countless thousands of indigent seamen and laborers would either languish and die, or lay the foundation of an agrarian movement which might shake the basis of her political fabric to its very center, and end in civil war or relentless confiscation.

Having in our midst an institution like this, one, too, recognized by laws and constitutions, State and Federal, it behooves us to guard with a vigilant eye all encroachments upon its rights and interests, to scrutinize closely the conduct of our Senators and Representatives with relation to it, and to determine well, what policy is best calculated to protect it. Sir, from the earliest days of the government there has existed in this country a party of selfish demagogues and deluded fanatics, who have waged an unremitted warfare upon it. The press, the pulpit, and the forum, have been prostituted to serve its lawless and revolutionary purposes, and no stone has been left unturned, no argument unnoticed, and no base passion or morbid prejudice, has been neglected, which could be used to its prejudice. More than once this party has wielded the powers of the Federal Government to cripple and destroy the institutions and property of this section of the Union, and two years since, it took possession of one wing of the Federal Capitol, and made a bold and well-nigh successful rush, for the Executive Mansion.

Here, sir, I propose to pause and consider where, in this long and bitter struggle which anti-slavery fanaticism has been waging against the institutions of the South, the honorable Senator referred to in these resolutions, has been standing?

In 1835, when Mr. Bell was a member of the House of Representatives, the conservative statesmen of the nation determined to throttle in its very inception one of the cherished schemes of the anti-slavery party, by refusing to receive and consider abolition petitions. When the 21st rule by which this was to be attained, came up for the action of the House, the abolitionists opposed it, Mr. Bell voting with them. Again the question came up on the proposition to repeal the rule, the abolitionists voting for it and Mr. Bell voting with them. In 1848, Mr. Douglas, of Illinois, on behalf of the South, offered a proposition to extend the Missouri line of 1820, through the Territories to the Pacific coast. The measure was rejected by northern votes, and propositions were offered by southern men to authorize slavery south of the pro-

posed extension line. Surely, if it was right to prohibit it north of the contemplated line, it was equally right and fair to establish it south of it. But Mr. Bell again united with the abolitionists in opposing every such proposition. In 1848, again Mr. Clayton offered his celebrated Compromise, which was simply to extend the Constitution and laws of the United States over the territory acquired from Mexico, to allow southern men to carry their property into that country if they chose, and to leave the vexed question concerning the old Mexican anti-slavery laws to the decision of the Supreme Court of the United States. The measure was, as Mr. Clayton contended at the time, nothing more nor less, than the policy of non-intervention now so universally approved in the South. When this proposition came up for action, Mr. Bell again threw his vote and his influence against us. Then came the Compromise measures of 1850. That compromise contained six distinct propositions, only three of which, however, involved any question of southern rights. These three, were the Utah and New Mexico bills, based on the principle of non-intervention, and the celebrated Fugitive Slave Law. The records show that Mr. Bell voted against the first of these bills and dodged the second. Then came up the Fugitive Slave Law. Here, too, the honorable Senator doubtless desired to escape the responsibility of a vote, as may be inferred from the fact that he is known to have preferred the "President's Plan," which contained no such provision. But it was too late to apply the antidote, and fearing to desert again under the blazing eye of his old chief, Mr. Clay, he suffered himself to be dragged *vi et armis* from his old position in the free-soil column, voted for the Fugitive Slave Bill, and for one time at least, proved faithful to his people.

We come now to consider the Kansas-Nebraska Bill, and the last act of Mr. Bell's treachery, and I sincerely trust the closing scene of his long and treacherous political career. Whatever the people of Tennessee may have thought of Mr. Bell's previous desertions, this last stroke of his selfish diplomacy has annihilated all the confidence which they have formerly reposed in him, and I feel that I speak nothing more than their sentiment when I say that they now regard him, not as the statesman who yields to northern aggression for the sake of peace, but as the cunning political gamester who panders to northern power to gratify the longings of an aspiring and selfish ambition, as a man, who had "rather be President than to be right."

Sir, what is this Kansas Bill, and its history?

In 1820, Missouri demanded admission into the Union with a clause in her Constitution recognizing slavery, and on account of this feature of her organic law the anti-slavery party in Congress steadily denied her request. An agitation arose thereupon which threatened the dissolution of the Union—and the subject was at length adjusted by the adoption of the Missouri Compromise line of 1820. That

Compromise provided that Missouri should be admitted into the Union with her Constitution as it was, on condition that in all the Territory belonging to the United States, slavery or involuntary servitude, except for crime, shall be forever prohibited. *Provided*, That slavery may exist south of that line, if the people of that Territory so decide. Many southern men thought at the time that this restriction was (as has now been decided by the Supreme Court of the United States in the Dred Scott case) an act not warranted by the Constitution. They felt, too, that upon considerations of naked justice it was wrong, thus to appropriate the larger portion of the common Territory exclusively to the North, and at the same time to give to her people an equal share with southern men south of that line. Had the southern representation been left free to vote its sentiment upon this direct issue independent of other considerations, I dare say it would have spurned the proposition with indignation. But it presented itself as a measure absolutely necessary in their judgment, to preserve the Union; it appealed to their patriotism, and under *duress*, they voted for it. Although this measure was justly odious to the people of the South, as a palpable fraud and a usurpation of power, yet they stood by it with a fidelity which cannot be impeached, and vainly endeavored to hold the men of the north up to the terms of their own compact. As the gentleman from Jackson asserted, and as I more than willingly grant, our Douglasses, Casses, Buchanans, and our Polks, if you please, again and again plead, and vainly plead, for the preservation of this compromise, in the *spirit and principle upon which it was adopted*. The records of 1846, when the South consented to extend this line through Texas and surrendered a portion of slave territory to the North, shows the fidelity with which she stood by the terms of that Compromise. While on the other hand the action of the North in rejecting the admission of Missouri upon the special plea that her Constitution refused to free negroes the right of emigrating thither, in voting down Mr. Douglas' proposal in 1848, to extend this line to the Pacific, and in endeavoring time and again to force the Wilmot proviso upon all the Territories, shows how little she regarded her plighted faith to her compact of 1820, and how little security we may expect to derive from abolition pledges.

It was at this time, sir, when every effort to maintain the act of 1820, had proved abortive, that the conservative spirit of the nation determined to cut loose from compromises which were used only for the destruction of the South, and to fall back upon the strict letter of the Constitution. Their effort resulted in the passage of the Compromise measures of 1850, which contained in *principle* the great doctrine of non-intervention, and superseded the doctrine of Congressional interference as carried out in the act of 1820.

The Kansas Nebraska Bill, proceeding upon the ground that the legislation of 1850, was inconsistent with that of 1820, adopted the doctrine of the former act, and gave to the people of these two Territories the right to determine whether they would establish slavery or not.

Why, I ask, Mr. Speaker, did Mr. Bell vote against this bill?



Why, as if repentant of the one act of fidelity which he had done us in 1850, did he return to his old position in the Free-soil column? Did he believe that the policy of non-intervention contained in the bill was wrong? It is true, sir, that, as a general rule, he has avoided committing himself to this great southern doctrine, but he has frequently written and spoken in its favor. Did he believe that the passage of the Kansas Bill would be a violation of the plighted faith of the South to the compact of 1820? On the contrary he expressly said in his speech in the Senate:

“That the North in 1850, opposed the extension of the Missouri line to the Pacific over any part of the territory acquired from Mexico, is true; and sir, it is equally true, that the Missouri Compromise *has been repudiated and never has been acquiesced in* by the abolitionists proper, or the anti-slavery agitators at the North. Their hostility to the institution of slavery in the South, is *uncompromising*.”

Mr. Bell, then, could not have based his opposition on this ground, for by the rules of law a violation of a mutual compact by the one party operates as a release of the other. Did he oppose it because it contained alien suffrage or squatter sovereignty? The gentleman from Jackson labors hard to show this fact, but I cannot allow him to extricate Mr. Bell with such pleas as these. I hold in the first place, that neither feature is contained in the bill; and secondly, that Mr. Bell has voted for both in their very worst forms, and is therefore estopped in this defense by his own official acts.

Now, sir, as to this question of squatter sovereignty—the alleged right of the people of a territory to form their domestic institutions while in a territorial condition—I shall not argue the abstract question, but I wish to show that there is no such thing in the Kansas Bill. That bill expressly provides that the qualified voters of the Territory shall be left free to “form and regulate their own domestic institutions, *subject to the provisions of the Federal Constitution*.” Therefore I hold, that if squatter sovereignty be in the Kansas Bill, it must be in the Federal Constitution also, and if it be in the latter, nothing which could have been put into the former, could have been denied to the people of Kansas in their territorial condition the exercise of that power. But again, sir; the Federal Constitution, to which the bill refers, says nothing *expressly* upon the point; the bill did not undertake to determine it one way or the other—and it became, therefore, a judicial question, and as such the Supreme Court of the United States have already acted upon it and decided (in the Dred Scott case) that there is and can be no such power conferred upon the people of a territory. I maintain further that there is no such thing as alien suffrage granted in this Kansas act. What is an alien? He is the citizen of a foreign government who has not renounced his allegiance, or taken upon himself the oath to support our Constitution and laws. Is the right of suffrage conferred upon any such person under the Kansas Bill? On the other hand it is expressly provided that no foreign born person shall vote in the territory unless he shall have renounced his oath of allegiance to every foreign government and

shall have declared in like manner his intention to become a citizen of the United States.

I hold, too, sir, that the policy of this bill is wise and safe; and that it is right to grant to the foreign born person who has given us these evidences of attachment to our country, the privilege of casting his vote in that *first* election which is to determine the social and domestic institutions of that Territory of which he is an inhabitant. I stand, too, with Mr. Bell, when he declared in his speech upon this very bill, "that it was a wrong policy upon the part of southern statesmen to refuse the right of suffrage to foreign born persons going into these Territories for the reason that it would have a tendency to "embitter them against the institutions of this section of the Union."

I reiterate, sir, that neither alien suffrage nor squatter sovereignty is contained in this bill, and therefore that Mr. Bell's opposition cannot be accounted for nor excused upon these grounds. But again, admitting, for argument's sake, that both these principles are contained in the bill, I hold that Mr. Bell cannot consistently plead them in bar of this indictment, for his record fully commits him to the support of both, in their very worst forms.

Who were admitted to the right of suffrage when California framed the Constitution upon which she was admitted into the Union? Sir, *aliens* who had not been in the territory twenty-four hours, who had filed no declaration of intention to become citizens of the United States, mere adventurers in search of gain, were permitted to determine the institutions of that State. Here was *real* alien suffrage, in its most objectionable character. The facts show also that when this Constitution was framed, California did not possess one-half the required population. Here was squatter sovereignty in its most odious form! Yet when California, with a Constitution so framed and adopted, applied for admission into the Union, although many southern statesmen protested against it as a swindle and a fraud, Mr. Bell voted for it and endorsed the very principles which he now pleads in extenuation of his vote against the Kansas act. Mr. Bell also supported the Washington territorial act, which is an exact copy of the Kansas act so far as it relates to what is denominated alien suffrage, and he has supported several other territorial bills containing the same provision. I find, too, that he even went so far as to support the Oregon Surveyor Bill, which offered a tribute to induce the foreigner to come to this country, by proposing to give him 300 ACRES OF GOVERNMENT LANDS AND THE RIGHT OF SUFFRAGE IN TWO YEARS, on condition that he should have become an actual occupant of the lands so donated. With regard to squatter sovereignty, I will remark further, that the provisions of the Kansas-Nebraska Bill are identical with those of the Oregon, Utah, Washington, and New Mexico Territorial Bills, all of which provide that "the legislative power of the Territory shall extend to all subjects of rightful legislation, *consistent with the Constitution of the United States.*" Mr. Bell has voted for at least two of these acts, and I would further inquire of the opposition party here, if there be squatter sovereignty in the Kansas Bill, did not you and Mr. Bell also, endorse it in the 7th sec. of the Know Nothing Platform of 1855, which section is a literal copy of that portion of the Kansas act which you charge contains this dangerous heresy? Such, sir, are the antecedents of a man whose desertion of a great constitutional principle my friend from Jackson would excuse upon the ground that he COULDN'T SWALLOW SQUATTER SOVEREIGNTY AND ALIEN SUFFRAGE.

But the gentleman asserts that Gen. Cass and other northern Democrats maintain that this thing called squatter sovereignty *is* contained in the Kansas law. I say to the member, sir, that if he will examine Mr. Cass' position he will find that he does not claim that this territorial sovereignty is conferred by the act of Congress, but that it is **INHERENT** in the **PEOPLE** of the **TERRITORY**.

What, then, Mr. Speaker, were Mr. Bell's reasons for opposing this great measure? I shall not stop now to inquire into the Senators' **MOTIVES**; I am considering the **ARGUMENTS** with which he seeks to defend himself. By referring to his speech delivered in the Senate shortly after the passage of this measure I find him assuming the ground that it will "create agitation and stimulate the organization of sectional parties." Sir, I desire Mr. Bell to have the full benefit of this plea in all its length and breadth. He admits that the Bill is constitutional, that it is just, but he opposes it because it will "**CREATE AGITATION**." The same argument would have justified him in voting against the Fugitive Slave Bill of 1850, for that, too, has created agitation, has been nullified by abolition Legislatures, evaded by personal liberty acts, and federal officers have again and again been butchered and defied in their attempts to execute it. The same doctrine would condemn every law on the Federal statute book for the protection of southern rights under the Constitution—would compromise that Constitution away—strike down the only barrier for the protection of the minority and make us finally the abject victims of an anti-slavery oligarchy. The gentleman from Jackson pointed to this prophecy of Mr. Bell and what he conceives to be its fulfillment as a complete vindication of his course. Sir, I join issue on this point, I deny that the sectional strife which has prevailed in the country for the past three years is the legitimate consequence of the passage of this Kansas Bill. It is impossible to believe that the people of the United States have spontaneously risen up in indignation against a measure which did nothing more than assert that they, as the inhabitants of a territory, had the right and the intelligence to choose and determine their own institutions. If the gentleman will look to the recorded facts of our history as connected with this matter, he will find that the agitation to which he refers is not the offspring of any real popular indignation against the Kansas Bill, but that it is the work of **INTERESTED** and **INTRIGUING POLITICIANS**.

Sir, if the plains of Kansas have been deluged with fraternal blood, it cannot be ascribed to the Kansas Bill, but to those midnight conclaves of abolition Senators, in the Capitol at Washington, from which were disseminated through the country false, incendiary, and revolutionary appeals. If Kansas has been made the theater of civil strife, the Kansas act is not at fault, but that "**Emigrant Aid Society**" chartered by a Massachusetts Legislature, to send men to that territory with arms in hand for the avowed purpose of disturbing its peace and trampling upon its laws. If upon that field of strife federal troops have been shot down and the sanctity of the ballot box violated, nothing in this Kansas Bill is amenable thereto; but those Black Republican Senators and Representatives who (as the testimony of Mr. Mace shows) subscribed their fifty dollars each, for the purchase of Sharpe's rifles to send thither to aid in the unholy work of treason and butchery. Sir, I repeat that this agitation has been **EXCLUSIVELY** the work of artful and selfish politicians; and I never will believe for one moment that the people of Tennessee will uphold that Senator who asserts that he will refuse to maintain a great measure based upon constitutional principles, violative of no compact, and absolutely necessary to preserve the rights and equality of the two sections of the Union—for the reason that crazy fanatics, office-gaming agitators, and restless mobocrats may endeavor to set it at defiance.

I take occasion, here, Mr. Speaker, to question both the justice and the expediency of this policy of concession. I hold that the measure of southern rights is the Federal Constitution, and not the consciences of Freesoil agitators governed by their notions of transcendentalism and higher-lawism; and I assert that is this very policy of concession which has brought us to our present perilous and unenviable condition. Mr. Bell advises us to try concession. I answer, sir, in the words of old Henry: "*We have been trying that for more than 30 long years; gentlemen have cried peace! peace! but there has been no peace.*" Let me invite gentlemen to the records that we may see what has been the result of this policy of compromise and concession.

In 1787 the Federal government excluded the South from a vast domain which the munificent liberality of a southern slave State had ceded to her, and to this first departure from the true theory of equality and the Constitution, the South consented. What did she gain by it? Was the rapacious spirit of the North satisfied? In 1820 we conceded again and surrendered the fair fields of the Louisiana purchase



north of 36° 30', and the guarantees of the Constitution in behalf of the South. What did we gain by it? Was abolition strength diminished! Sir, abolitionism went on careering in its power; it began to assail the institutions of the South by petitioning Congress to abolish slavery everywhere in the limits of the country, and by circulating incendiary publications among our slaves. The conservative spirit of the nation rallied for a moment, and by the passage of the 21st rule shut down the great flood-gate of fanaticism. Congress could no longer be made the focus of anti-slavery agitation from whence to disseminate those fire-brands which were designed to excite the hostility of the country against southern institutions, and to shroud her fair fields in the blood of intestine war and the flames of civil insurrection. It was a well-directed blow, and had it been steadily adhered to I believe we would have been spared much of the difficulty and peril which has since attended us. But at this time Mr. Bell became the agent of these deluded fanatics. He came to the people of Tennessee and told them in his artful, winning way, that by making such a decided stand against abolitionism we had aroused the slumbering spirit of the North and put weapons in the hands of our enemies. Mr. Bell's constituents listened to his plausible pleading, and he returned to Congress and assisted the fell spirit of aggression in breaking down this first barrier which the South had erected for its own safety. He tells us in a speech delivered in the Senate a short time since:

"I saw that the passage of the 21st rule was promoting the cause of abolition, and therefore voted to rescind the rule, although in so doing I stood alone in the Tennessee delegation, and almost alone in the whole southern representation."

But what was the result of this third concession? Mr. Bell was present when the deed was accomplished—he assisted in it. He saw the abolition party hail it as a soldier hails a bright omen at the onset of battle. He heard it proclaimed in tones that made the arches of the Capitol ring:

"The word is spoken, breaking the enchanted slumbers of the North, defying the power and the sorceries of slavery, and demanding her instant destruction. *Her champions are fainting from fear, her mercenaries are deserting her, and even her own fastnesses are not sufficient to protect her.* Voices are heard in the air prophesying her fall. Omens in the Capitol of the nation, in the churches, and by the wayside, tell her that her hour of doom has come."

He heard abolitionism glorying over his own betrayal of the South; he heard himself stigmatized as the Southern champion that had *fainted through fear*, as the "Southern fastnesses had *failed to protect her*," and at the next session of Congress he saw his confederates with their shattered column recruited, besiege the door of Congress with four hundred and forty thousand petitioners demanding the instant abolition of slavery or the destruction of the Union.

Again in 1846, we conceded by extending the Missouri line through Texas, and yielding slave territory to the North. What did we gain by this fifth concession? In 1848, rather than renew so dangerous an agitation we agreed to extend the Missouri line through our Mexican acquisitions as the basis of the slavery settlement in all this Territory. What did we gain by this sixth concession? Why, sir, the powerful free-soil element, conscious of defeating us, and relying on our patriotism for another sacrifice—abandoned the ground of compromise, planted themselves upon the ground of power and endeavored to cover the *whole territory* with the Wilmot Proviso, and thereby deprive us of any participation whatever in the favors and bounties of that domain which was the common property of the whole Union, which had been won almost exclusively by southern blood and valor.

Such, sir, has been the result of this eternal policy of concession. We yielded and conceded until 1848, when driven and forced back to the last inch of debatable ground, we were forced to turn like the Lion at bay and fight, not so much for victory as life. The passage of the Compromise acts of 1850, and the Kansas-Nebraska act, has inaugurated a different policy, which I hope will be strictly adhered to in the future action of the Government. It is true, sir, that more or less agitation has attended the passage of each of these measures, and that the anti-slavery party is still demanding the very life-blood of the country. But this agitation, I maintain, is in reality the necessary consequence of that policy of concession pursued up to 1848, and which has impressed the public mind of the North with the belief that it is the duty of the South to concede whatever she demands, and I firmly believe that since the moral power and prestige of victory—no unimportant element of succession in a popular government like ours—has been lost to the Free-soil sentiment of the north, when this temporary excitement shall have passed over, we will find ourselves as a nation and a people occupying a higher and safer position than we have held since the beginning of this slavery controversy.

In my opinion, sir, Mr. Bell can no longer sustain himself before the people of Tennessee on this eternal plea of concession. He can no longer "promote the existence of abolition aggression" by pleading the Union and its safety, in its behalf. The people of this State not only deny the wisdom of this policy of concession, but they question even the motive, of the honorable Senator in espousing this cause, and they have already proclaimed that this life-long record of action and affiliation on the part of a southern statesman with the abolitionists and Freesoilers, must be regarded either as the evidence of his sympathy with the North, or of his willingness to win the proud heights of a presidential position even by conniving at the efforts of abolitionism to break over the barriers of the Constitution and desolate the fields of the South. Year after year they have seen him throw the might of his great name and high position into the scale of our enemies, and then come home and explain it away by some plausible or patriotic pretense, thereby winning the good will of one party, and by the force of party bias reserving to a considerable extent his hold upon the confidence of the other. But this long and cunningly played game is well-nigh up. These pleas and pretenses have grown old and threadbare. They have been employed to justify or extenuate a score of overt desertions—but the veil has been lifted, the features of this "Great Prophet" have at last been exposed to public scrutiny, and he stands before the people of Tennessee, like Robespierre in the first scenes of the French Revolution—

"A man that seems to side with neither party,  
Will now bend this way, and then make it up  
By leaning a little to the other side—  
With one eye glance his pity on the crowd,  
With the other crouch to royalty."

They condemn, too, Mr. Bell's policy of concession which like that of the Gironde in that mad saturnalia of 1789, cold, timid, and negative, did nothing, spoke nothing, acted nothing, for fear of doing too much, and at last made communism and republicanism synonymous, murdered a people, carried a royal family to the scaffold, overthrew the government, brought itself to the block, and left the country under the mad rule of guillotinery, massacre, and terror. Heaven forbid, sir, that in this struggle with the Jacobinism of the North, we, by the adoption of Mr. Bell's policy, should be led to the same deplorable ends. In my judgment, sir, the people of Tennessee demand an unflinching resistance to the aggressive spirit of the North. They want a Senator who will fight Black Republicanism hilt to hilt, and not a mere echo of Kansas-shriekers, who sees Sharpe's rifles and civil war, and visions of blood, in every measure of justice to an insulted, defrauded, and betrayed people. They want a Senator who will see that equal and exact justice is meted out to every section of the Union alike, and not one who looks upon Black Republicanism as a sort of *conditio in terronem*, and dares not assert the constitutional rights of his section because those arch traitors, your Hales and your Wilsons, and your Sumners, may see proper to agitate and to threaten civil war and dissolution. Sir, the people of Tennessee are as loyal and patriotic as any upon earth—they love this Union as much as John Bell PROFESSES to love it, but to preserve it they are not willing to compromise away the Constitution and their honor; and abase themselves to the condition of slaves—for "absolute submission and passive obedience to every extreme of federal tyranny is the characteristics of slaves only."

But I beg pardon of the house for having trespassed so long upon its patience. I have only to say that these facts and views seem sufficient to my mind to justify my vote for these resolutions. If gentlemen think that these strictures upon Mr. Bell are in bad taste, I have only to say that in what I have done I have had an eye to the truth of history rather than the niceties of speech. But, however that may be, I respectfully submit that my *language* cannot be in worse taste than Mr. Bell's *conduct*, for surely the spectacle of a veteran Senator who has grown old in the wiles of party and the toils of State—having won all the honors which he can reasonably hope to attain, standing upon the floor of the Senate with a "*fruitless* crown upon his head" and a "*barren* sceptre in his gripe," and persisting in holding on to the robes of office and in misrepresenting the will of his people in defiance of their oft expressed wish and his own solemn pledge, is a performance not likely to bewilder the world in admiration.

I hope, sir, that these resolutions will pass the House, and I shall vote for them without amendment, although, as said in the outset, I should have preferred them in the form of positive instructions.